

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,  
Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L.  
Madoff Investment Securities LLC and the Estate  
of Bernard L. Madoff,

Plaintiff,

v.

RICHARD M. GLANTZ, et al.,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05394 (SMB)

**AMENDED CASE MANAGEMENT STIPULATION AND ORDER**

**WHEREAS**, on January 19, 2018, Irving H. Picard as trustee (the “Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. (“SIPA”), and the substantively consolidated chapter 7 estate of Bernard L. Madoff individually, and the defendants (“Defendants,” and together with the Trustee, the “Parties”) entered into a stipulation relating to the Trustee’s filing

of a Second Amended Complaint in the above-captioned adversary proceeding (the “Adversary Proceeding”), and relating to Defendants’ filing of an answer thereto, which stipulation was so ordered by this Court and entered on January 22, 2018 (the “Stipulation and Order”); and

**WHEREAS**, on January 22, 2018, the Trustee filed the Second Amended Complaint; and

**WHEREAS**, on March 23, 2018, Defendants filed their Answer and Affirmative Defenses to the Second Amended Complaint; and

**WHEREAS**, the Court so ordered an Amended Case Management Stipulation and Order on April 12, 2019, which the Parties now wish to amend to enter early mediation and accommodate certain scheduling matters.

**IT IS THEREFORE MUTUALLY AGREED AND STIPULATED**, by and between the Trustee and the Defendants, that the following provisions and deadlines are hereby made applicable to this adversary proceeding:

1. The Parties will file with the Court a Notice of Mediation Referral and a Notice of Mediator Selection by June 14, 2019.
2. Fact Discovery will be held in abeyance while the Parties conduct Mediation.
3. The deadline for the Conclusion of Mediation shall be on or before August 9, 2019.
4. If this adversary proceeding is not resolved through mediation, the Parties will re-commence Fact Discovery, which will conclude 60 days after the Mediator’s Final Report is filed with this Court.
5. If fact discovery is re-commenced, the Parties shall file an Amended Case Management Stipulation and Order with this Court 14 days after the Mediator’s Final Report is filed with this Court that provides new fact and expert disclosure deadlines that are to be applicable to this adversary proceeding.
6. All of the agreements between the Parties regarding the scope of Fact Discovery, which are outlined in paragraph 1(a)-(c) of prior Case Management Stipulations and Orders (ECF Nos. 114, 125, 134, and 139), shall remain in effect.

7. This stipulation may be signed by the parties in any number of counterparts, each of which shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this stipulation shall be deemed an original.

Dated: New York, New York  
May 17, 2019

BAKER & HOSTETLER LLP

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*Attorneys for Plaintiff Irving H. Picard,  
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SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate  
of Bernard L. Madoff*

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*Attorneys for Defendants RICHARD M. GLANTZ,  
individually, as trustee of the Glantz-Ostrin Trust  
II, as personal representative of the Estate of  
Edward R. Glantz, and as administrator of the  
Estate of Thelma Glantz; EJS ASSOCIATES, L.P.;  
JELRIS & ASSOCIATES, L.P.; GRACE &  
COMPANY; THE GLANTZ FAMILY  
FOUNDATION, INC; THE ESTATE OF EDWARD  
R. GLANTZ; LAKEVIEW INVESTMENT, LP;  
VISTA MANAGEMENT CO.; LAW &  
MEDIATION OFFICES OF RICHARD M.  
GLANTZ, A PROFESSIONAL CORPORATION;  
ELAINE OSTRIN; THE ESTATE OF THELMA  
GLANTZ; THE GLANTZ-OSTRIN TRUST II; and  
AUSTIN BOSARGE*

SO ORDERED

Dated: **May 21<sup>st</sup>, 2019**  
New York, New York

/s/ STUART M. BERNSTEIN  
HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE